

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**BRENDA WILSON, as mother and** )  
**next friend of TENIESHA ADAMS, a minor,** )  
**and TENIESHA ADAMS,** )

Plaintiffs, )

v. )

Civil No. **05-297-GPM**

**CAHOKIA SCHOOL DISTRICT #187,** )  
**LELA PRINCE, DWAYNE COTTON,** )  
**MEARL JUSTUS, and THE COUNTY** )  
**of ST. CLAIR, ILLINOIS,** )

Defendants. )

**ORDER**

**PROUD, Magistrate Judge:**

Plaintiffs' Motions to Compel (**Doc. 20, 21, 23, and 25**) sought, in part, records relating to Craig Nichols, a student at Cahokia School District #187. Defendants had objected that the records were subject to 105 ILCS 10/6(5). The Court directed Plaintiffs to tender a proposed order which complies with that statute. **See, Doc. 41.** On October 8, 2005, Plaintiffs did so.

Defendants have not objected to the proposed order. However, because the proposed order did not comply with all requirements of 105 ILCS 10/6, the Court has made the necessary revisions.

**IT IS THEREFORE ORDERED that any and all student records of Craig Nichols in the possession or control of the Defendant Cahokia School District #187 or in the possession and control of any of the other named Defendants in this case, are to be produced to Plaintiffs' counsel for inspection and copying subject to the following terms:**

1. Within five days of the receipt of this Order by the Defendants' attorney, the

Defendant, Cahokia School District #187 (and any other Defendant holding or controlling such records) shall give prompt written notice to the parent of Craig Nichols of the terms of this Order and the nature and substance of the information proposed to be released in compliance with this Order.

2. The aforesaid notice to the parent of Craig Nichols will give the parent an opportunity to inspect and copy the student records within fourteen days of the date of the notice.

3. The notice shall also state that the parent of Craig Nichols has the right to challenge the accuracy, relevance, or propriety of entries in the record, as provided in 105 ILCS 10/7, and shall explain the challenge procedure.

3. On the twentieth day after the date of notice to the parent of Craig Nichols, if the parent has not inspected and/or copied the records, or within five days after any such inspection and/or copying by said parent, the Defendant Cahokia School District #187 (and any other Defendant holding or controlling such records) will produce to Plaintiffs' counsel a complete copy of said records. However, if the parent of Craig Nichols elects to challenge any entries in the records, the records shall not be produced to plaintiffs' counsel until the challenge procedure has been completed.

4. Pursuant to 105 ILCS 10/6(c), Defendants shall maintain a record of the release of the information.

5. Pursuant to 105 ILCS 10/6(d), Plaintiffs' counsel and plaintiffs shall not "permit any other person to have access to such information without a prior consent of the parent [of Craig Nichols] obtained in accordance with the requirements of subparagraph (8) of paragraph (a) of this Section."

**IT IS SO ORDERED.**

**DATE: November 2, 2005.**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**UNITED STATES MAGISTRATE JUDGE**